

The Honorable Lourdes A. Leon Guerrero
Maga'hågan Guahån
SPECIAL ADDRESS
October 21, 2019 “On Davis v. GovGuam”

Håfa Adai!

For decades, every Governor who sat in this Office has been asked to make tough choices. Whether their challenges were made by man or sheer acts of God, every Governor sought the advice of experts, weighed the facts, and acted in accordance with his heart and head.

I have always believed that our right to self-determination belongs to the native inhabitants of Guam because only the native inhabitants of Guam were denied that most basic of human rights.

Let me be clear: we value everyone that has made Guam home, but a plebiscite is meant to remedy a historical injustice—and that remedy belongs to the native inhabitants of Guam.

While this has always been my personal belief, I must also weigh it against the careful, thorough legal advice of our Attorney General and Special Assistant AGs. They believe that there is potential for significant risk associated with an appeal to the current U.S. Supreme Court.

These potential risks include the Court going beyond the narrow holding of the Ninth Circuit and invalidating our plebiscite under the Fourteenth Amendment, which could put a host of other programs, including the Chamorro Land Trust, at risk.

Today, however, just a few days before our deadline to appeal, I have been asked by other attorneys to not forsake our right to appeal. These legal experts believe Guam must appeal regardless of the Court's composition or the risks it may invite. They believe history must be served by making our case at the U.S. Supreme Court.

While I appreciate the risks involved, I cannot deny our people the right of an appeal so long as others may be willing to champion it.

That is why I will ask the Attorney General to appoint Attorneys Mike Phillips and Senator Therese Terlaje to lead our Davis appeal in the U.S. Supreme Court.

I recognize that time is short; that we only have days before an appeal must be filed. But if anyone can fight and win for Guam, it is the attorneys who secured a legal victory that enabled the CLTC, and who believe in an appeal.

Guided by our faith in the future of Guam's People, I am confident that these proven champions of justice will prevail for our people again.

Si Yu'os Ma'åse.